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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHEA, PHILIP J

ART UNIT PAPER NUMBER

2153

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,336

Applicant(s)

WORK, JAMES DUNCAN

Examiner

Philip J. Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 148-152, 155, 156, 158, 161, 162, 164-166 and 168-175 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 148-152, 155, 156, 158, 161, 162, 164-166 and 168-175 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to an After Final Affidavit filed August 8, 2005. The Finality of the previous rejection has been overcome, however, upon further consideration of new art, a new Final Rejection has been prepared below.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 148-162 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 148 recites the limitation "such persons' " in line 6. There is insufficient antecedent basis for this limitation in the claim. It is unclear if such persons' is included among the one or more persons.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 148 is rejected under 35 U.S.C. 102(e) as being anticipated by Coueignoux (US 6,092,197).

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As per claim 148, Coueignoux discloses a computer implemented method, comprising reporting matches to searches initiated by a searcher so long as access control criteria are met (see column 6, lines 45-49, where searcher is considered sender), the searches, and the access control criteria (i) being selectably controllable by any of one or more persons in one or more chains of person-to-person relationships connecting the searcher and the potential targets (see column 6, lines 59-62), and (ii) defining attributes of such one or more persons and such persons' contacts that may be shared with others (see columns 29, lines 66-67 and column 30, lines 1-10). The Examiner interprets the chain of person-to-person relationship, a single searcher and multiple targets. In this case, the Examiner considers a person to be an interested employee (target) willing to give information to an interested employer (searcher). In considering access control criteria being selectably controllable by any of one or more persons, a single case is taken where the any of one or more persons refers to the targets own access control criteria and the targets own attributes and contacts.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 164 is rejected under 35 U.S.C. 102(b) as being anticipated by Kautz et al. ("The Hidden Web"), herein referred to as Kautz.

As per claim 164, Kautz discloses a computer-implemented method, comprising reporting matches to search criteria specified in a search initiated by a searcher so long as the number of person-to-person connections in a chain of person-to-person connections connecting the searcher and a potential target is within a specified connection threshold (see page 32, paragraph 24), the specified connection threshold indicating a maximum number of person-to-person connections to be allowed in establishing said chain of person-to-person connections connecting the searcher and the potential target (see page 32, Figure 2, where maximum is considered search radius).

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As per claim 165, Kautz further discloses that the connection threshold is specified in the search criteria by the searcher (see page 32, Figure 2).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 149-152,155,156,158 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coueignoux (US 6,092,197) as applied to claim 148 above, and further in view of Kautz et al. ("The Hidden Web"), herein referred to as Kautz.

As per claim 149, although the system disclosed by Coueignoux shows substantial features of the claimed invention (discussed above), it fails to disclose connection strengths for person-to-person relationships and wherein said search criteria defines a minimum connection strength for a person-to-person relationship that is required between persons forming said one or more chains of person-to-person relationships connecting the searcher and the potential targets.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Coueignoux, as evidenced by Kautz.

In an analogous art, Kautz discloses reporting matches for a searcher looking for a target within a minimum specified connection strength (see page 32, paragraph 24). The Examiner interprets connection strength as how closely linked the searcher is to the target. In this case, asking a colleague what they know about something indicates a high connection strength.

Given the teaching of Kautz, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Coueignoux by allowing a searcher to find a target within a radius of person-to-person connections, such as disclosed by Kautz, in order to find a target that is within a certain.

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As per claim 150, Coueignoux in view of Kautz further disclose that at least one attribute defined by the access control criteria comprises an indication of a connection strength for at least one of the person-to-person relationships between persons forming said one or more chains of person-to-person relationships (see Kautz page 32, paragraph 24, where connection strength is considered a query for colleagues that know about certain subject matter (i.e. a strong connection strength) or colleagues of colleagues that know about certain subject matter (i.e. a weaker connection strength)).

As per claim 151, Coueignoux in view of Kautz further disclose that the search criteria include a connection threshold specified by the searcher, the connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships connecting the searcher and the potential targets (see Kautz page 32, Figure 2).

As per claim 152, Coueignoux in view of Kautz further disclose that the access control criteria comprises a connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships (see Kautz page 32, Figure 2).

As per claim 155, Coueignoux in view of Kautz further disclose that the matches are reported only so long as a connection between each person associated with said one or more person-to-person relationships connecting the searcher and the potential targets satisfies one attribute of the access control criteria established by a next subsequent connector in a connection path between the searcher and the potential target (see page 33, paragraph 26).

As per claim 156, Coueignoux in view of Kautz further disclose that reporting matches to searches initiated by a searcher so long as access control criteria are met further comprises autonomously brokering connections between the searcher and the potential target so as to provide information regarding the one or more persons in the one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 33, paragraph 26).

As per claim 158, Coueignoux in view of Kautz further disclose that autonomously brokering connections between the searcher and the potential target further comprises brokering, in accordance with one or more instructions supplied by any one or more connecting individuals in an inter-personal

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connection path from the searcher to a potential target, where such instructions refer to attributes of relationships between any two or more said persons in said chains (see Kautz page 33, paragraphs 27 and 28).

10. Claims 161,162,171 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coueignoux (US 6,092,197) as applied to claim 148 above, and further in view of Walker et al. (US 5,884,270), herein referred to as Walker, and further in view of Kautz et al. ("The Hidden Web"), herein referred to as Kautz.

As per claim 161, although the system disclosed by Coueignoux shows substantial features of the claimed invention (discussed above), it fails to disclose whether a third party evaluation report is accessible to the searcher, said third party evaluation report (i) pertaining to a person forming a person-to-person relationship connecting the searcher and the potential target, and (ii) being integrated with a personal profile of said person forming a person-to-person relationship connecting the searcher and the potential target.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Coueignoux, as evidenced by Walker.

In an analogous art, Walker discloses a system for facilitating employment searches where upon receiving criteria for candidates of interest from an employer, releasing to the employer the employment data associated with the candidates (see Abstract). Further showing that a third party evaluation report is accessible to the searcher, the third party evaluation report being integrated with a personal profile (see columns 17 and 18, lines 63-67 and 1-23).

Given the teaching of Walker, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Coueignoux by employing a third party evaluation report, such as disclosed by Walker, in order to verify the credentials of a possible target.

Although the system disclosed by Coueignoux in view of Walker shows substantial features of the claimed invention (discussed above), it fails to disclose that the third party evaluation report pertains to a person forming a person-to-person relationship connecting the searcher and the potential target.

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Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Coueignoux in view of Walker, as evidenced by Kautz.

In an analogous art, Kautz discloses a referral system where a person-to-person relationships are established in searching for a potential target (see page 32, paragraph 24).

Given the teaching of Kautz, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Coueignoux in view of Walker by having the third party evaluation report pertain to a person-to-person relationships connecting the searcher and the potential target, such as disclosed by Kautz, in order to verify the credentials of each person among the chain of person-to-person relationships connecting the searcher and the potential target.

As per claim 162, it would have been obvious to one skilled in the art at the time of the invention to make the third party evaluation report inaccessible to the person that the third party evaluation report pertains in order to keep the evaluation report confidential.

As per claim 171, for the same advantages of including a third party evaluation report above, it would have been obvious for Kautz to employ third party evaluation report of the potential target in order to verify the credentials of the target. Additionally it would be obvious to include the third party evaluation report with the personal profile of the potential target in order for a searcher to easily gain access to the report.

11. Claims 166,168-170,172-175 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kautz et al. ("The Hidden Web"), herein referred to as Kautz, and further in view of Coueignoux (US 6,092,197).

As per claim 168, Kautz discloses a chain of person-to-person connections connecting a searcher and a potential target to which a match pertains (see page 32, paragraph 24).

Although the system disclosed by Kautz shows substantial features of the claimed invention (discussed above), it fails to disclose that some or all of the matches are not reported unless permission for reporting is granted by one or more owners of profiles.

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Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kautz, as evidenced by Coueignoux.

In an analogous art, Coueignoux discloses setting access control criteria in the form of private and public facts (see column 6, lines 57-62). Further showing that some or all matches about a target are not reported unless granted by one or more owners of profiles (see columns 29, lines 66-67 and column 30, lines 1-10).

Given the teaching of Coueignoux, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kautz by returning matches at the discretion of the target, such as disclosed by Coueignoux, in order to keep information about a potential target private until a trust has been established between the searcher and target.

As per claims 166,174, Kautz in view of Coueignoux further disclose that it would be obvious to have the potential target establish the specified connection threshold. Coueignoux discloses that potential targets can establish facts that can be made available to searcher (see column 13, lines 43-63), showing that it would be obvious to allow the potential target to specify the connection threshold it would like to be found.

As per claim 169, Kautz in view of Coueignoux further disclose that matches are searched for according to degrees of trust between contacts specified through user profile criteria (see Kautz page 32, paragraph 24, where degree of trust is considered indicating a search through a colleague, or a colleague of a colleague). In considering user profile criteria, Coueignoux shows user profiles to hide facts about a user (see columns 29, lines 66-67 and column 30, lines 1-10).

As per claim 170, Kautz in view of Coueignoux further disclose that reporting matches includes reporting information regarding individuals represented by the matches according to access control instructions provided by those individuals concerning levels of details of their personal information which may be revealed to others (see Coueignoux column 6, lines 30-49).

As per claim 172, Kautz discloses a computer-implemented method, comprising reporting matches to search criteria specified in a search initiated by a searcher so long as a connection strength between each two people forming a person-to-person connection in a chain of person-to-person

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connections between the searcher and the a potential target exceeds a connection strength threshold (see page 32, paragraph 24, e.g. by asking what colleagues of mine know about simulated annealing a strong connection strength is implied, and by asking what colleagues of colleagues of mine know about simulated annealing implies a weaker connection strength with the target).

Although the system disclosed by Kautz shows substantial features of the claimed invention (discussed above), it fails to disclose that the connection strength is an attribute of access control criteria that are selectably controllable by any of one or more persons in said chain of person-to-person connections between the searcher and the potential target.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kautz, as evidenced by Coueignoux.

In an analogous art, Coueignoux discloses setting access control criteria in the form of private and public facts (see column 6, lines 57-62).

Given the teaching of Coueignoux, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kautz by having the connection strength as an attribute of access control criteria, such as disclosed by Coueignoux, in order to allow a user to advertise what strength of a connection to a target is desired or if a target does not want to be found unless its within a certain connection strength.

As per claim 173, Kautz in view of Coueignoux further disclose that the connection strength threshold is included in the search criteria specified by the searcher (see Kautz page 32, paragraph 32).

As per claim 175, Kautz in view of Coueignoux further disclose that the connection strength threshold determines the minimum connection strength required between two people forming a person-to-person connection in a chain of person-to-person connections between the searcher and the potential target (see page 32, Figure 2, where showing the neighborhood within a radius implies a minimum connection strength a searcher is willing to go).

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Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC 9/16/05

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KRISNA LIM
PRIMARY EXAMINER